No. 17-773

In the Supreme Court of the United States

RICHARD A. CULBERTSON,

Petitioner,

v.

NANCY A. BERRYHILL, DEPUTY COMMISSIONER FOR OPERATIONS, SOCIAL SECURITY ADMINISTRATION,

Respondent.

On Writ of Certiorari to the United States Court of Appeals for the Eleventh Circuit

JOINT APPENDIX

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Petition for Writ of Certiorari Filed November 21, 2017
Certiorari Granted May 21, 2018

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Orlando, FL 32803
(407) 894-0888

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OPINIONS, JUDGMENTS AND ORDERS CONTAINED IN THE PETITION APPENDIX

The following opinions, judgments and orders have been omitted in printing this joint appendix because they appear on the following pages in the appendix to the Petition for Writ of Certiorari:

Opinion of the U.S. Court of Appeals for the Eleventh Circuit, dated June 26, 2017 ..... 1a

Order of the U.S. District Court for the Middle District of Florida, dated December 17, 2015 ..... 18a

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 16-13664

Katrina F. Wood, Plaintiff-Appellant,

v.

Commissioner of Social Security, Defendant-Appellee.

Date Filed	Docket Text
06/17/2016	CIVIL APPEAL DOCKETED. Notice of appeal filed by Appellant Katrina F. Wood on 06/16/2016. Fee Status: IFP Granted. * * *
* * *	
07/05/2016	APPEARANCE of Counsel Form filed by Richard Allen Culbertson for Katrina F. Wood. * * *
07/05/2016	Civil Appeal Statement filed by Attorney Richard Allen Culbertson for Appellant Katrina F. Wood. * * *
* * *	
07/25/2016	*MOTION to consolidate appeals 16-13664, 16-13665, 16-13666, and 16-14004 filed by Commissioner of Social Security. Motion is Unopposed.* * * *
* * *	

08/25/2016	ORDER: Appellee's motion to consolidate appeals is GRANTED. [7862315-2] in 16-13664, [7862321-2] in 16-13665, [7862326-2] in 16-13666, [7863278-2] in 16-14004 * * *
* * *	
09/30/2016	Appellant's brief filed by Katrina F. Wood. * * *
09/30/2016	Appendix filed [1 VOLUMES] by Appellant Katrina F. Wood. * * *
09/30/2016	Added Attorney(s) Sarah Patience Fay for party(s) Appellant Katrina F. Wood, in case 16-13664.
09/30/2016	Corrections to appendix (Tabs were added to appendix) received on 10/19/2016 from Appellant Katrina F. Wood in 16-13664[.] * * * All deficiencies have been corrected. * * *
* * *	
10/31/2016	Appellee's Brief filed by Appellee Commisioner of Social Security. * * *
* * *	
11/7/2016	Supplemental Appendix [1 VOLUMES] filed by Appellee Commissioner of Social Security. * * *
* * *	
11/14/2016	* * * Reply Brief filed by Appellant Katrina F. Wood. * * *
* * *	
11/29/2016	Corrected Reply Brief filed by Appellant Katrina F. Wood. * * *
* * *	

04/07/2017	Oral argument scheduled. Argument Date: Wednesday, 05/17/2017 Argument Location: Atlanta. * * *
05/17/2017	Oral argument held. Oral Argument participants were Richard Allen Culbertson for Appellant Katrina F. Wood and Rebecca Ringham for Appellee Commissioner of Social Security in 16-13664. * * *
06/26/2017	Opinion issued by court as to Appellant Katrina F. Wood in 16-13664[.] * * * Opinion type: Published. Opinion method: Signed. * * *
06/26/2017	Judgment entered as to Appellee Commissioner of Social Security in 16-13664[.] * * *
08/23/2017	Mandate issued as to Appellant Katrina F. Wood in 16-13664[.] * * *
* * *	

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA (ORLANDO)

No. 16:12-cv-00915-DAB

Katrina F. Wood, Plaintiff,

v.

Commissioner of Social Security, Defendant.

Date Filed	#	Docket Text
06/18/2012	1	COMPLAINT against Commissioner of Social Security filed by Katrina F. Wood. * * *
		* * *
08/30/2012	13	ANSWER to 1 Complaint, filed by Commissioner of Social Security. * * *
		* * *
09/20/2012	19	MEMORANDUM in opposition to the Commissioner's decision filed by Katrina F. Wood. * * *
12/12/2012	20	MEMORANDUM in support of the Commissioner's decision filed by Commissioner of Social Security. * * *
09/16/2013	21	MEMORANDUM OPINION AND ORDER. The Court REVERSES and REMANDS the

		Commissioner of Social Security's decision pursuant to sentence four of 42 U.S.C. § 405(g). The Clerk is directed to enter judgment and to close the file. * * *
09/20/2013	22	JUDGMENT that the decision of the Commissioner is reversed and this case is remanded to the Social Security Administration for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). * * *
11/12/2013	23	Unopposed MOTION for Attorney Fees by Katrina F. Wood. * * *
11/21/2013	24	ORDER granting 23 Motion for Attorney Fees. The Clerk is DIRECTED to enter judgment in the amount of $4,107.27 for attorney's fees. * * *
11/21/2013	25	JUDGMENT on attorney fees. Fees awarded to Katrina F. Wood against Commissioner of Social Security[.] * * *
03/16/2016	26	MOTION for Attorney Fees *Request for Authorization to Charge a Reasonable Fee* by Katrina F. Wood. (Attachments: # 1 Appendix 1, # 2 Appendix 2, # 3 Appendix 3, # 4 Appendix 4)(Culbertson, Richard)[.] * * *

03/29/2016	27	RESPONSE to Motion re 26 MOTION for Attorney Fees *Request for Authorization to Charge a Reasonable Fee* filed by Commissioner of Social Security. * * *
04/20/2016	28	**ORDER granting in part 26 Motion for Attorney Fees. The Court finds that the sum sought is reasonable and an award of $1,623.48 is appropriate under § 406(b).** * * *
06/16/2016	29	NOTICE OF APPEAL as to 28 Order on Motion for Attorney Fees by Katrina F. Wood. * * *
* * *		
06/27/2017	33	OPINION/ORDER of USCA as to 29 Notice of appeal filed by Katrina F. Wood. EOD: 6/26/2017; Mandate to issue at a later date. USCA number: 16-13664-GG. District Court's decision * * * is AFFIRMED. * * *
08/24/2017	34	MANDATE of USCA as to 29 Notice of appeal filed by Katrina F. Wood. Issued as Mandate: 8/23/207. USCA number: 16-13664-GG; re 33 Opinion. AFFIRMED. * * *
* * *		

RICHARD A. CULBERTSON
Attorney At Law
3200 CORRINE DRIVE
ORLANDO, FLORIDA 32803
Office: (407) 894-0888 ***Fax: (407) 898-2737***

RETAINER AGREEMENT - FEDERAL COURT APPEAL

Claimaint, **Katrina F. Wood**, hereby retains Richard A. Culbertson (hereafter referred to as attorney), to file an appeal of a claim for benefits under the Social Security Act in the United States District Court for the Middle District of Florida.

If the court renders a judgment reversing or remanding the administrative decision denying benefits and claimant is ultimately awarded past due benefits, claimant agrees to pay a fee of 25 percent of the total of the past-due benefits to which the claimant is entitled. We understand that past-due benefits are the total amount of money to which claimant and any auxiliary beneficiary(ies) become entitled through the month before the month in which the Social Security Administration effectuates a favorable determination or decision on the claim. Social Security Benefits and Supplemental Security Income benefits are included. The Commissioner of Social Security may certify the amount of any fee allowed by the court for payment to attorney out of the amount of such past-due benefits.

It is understood that this agreement shall in no way limit the amount of attorneys fees which may be awarded under the Equal Access to Justice Act (EAJA). If, within attorney's sole discretion, a claim for fees under EAJA is justified, then he shall file a claim for said fees against the government in the Federal Court. Any attorneys fees awarded by the court that are paid by the government and retained by Richard A. Culbertson will be applied to reduce the amount of attorneys fees that would otherwise be due from claimant's past-due benefits. If the amount paid by the government exceeds 25 percent of claimant's past due benefits, then no amount will be due for attorneys fees. If the amount paid by the government is less than 25 percent of claimant's past due benefits, then the difference will be due as agreed to above. Claimant hereby assigns his right to any attorney fees awarded under the Equal Access to Justice Act to attorney, Richard A. Culbertson. It is agreed that Richard A. Culbertson will pay any amounts due to any other attorney who works on claimant's case. Claimant agrees that all attorney fees awarded by the court will be paid directly to Richard A. Culbertson. Any fees paid to other attorneys will not reduce the amount due to Richard A. Culbertson under this agreement.

This agreement applies to attorney's representation of claimant in Federal Court. It does not cover or include any representation before the Social Security Administration.

We have both received signed copies of this agreement.

Agreed to at Orlando, Florida on this 6th day of June, 2012.

Claimant:
Katrina F. Wood
SSN: [redacted]

Richard A. Culbertson,
Attorney
3200 Corrine Drive,
Orlando, FL 32803
(407) 894-0888
Florida Bar No. 876577

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

KATRINA F. WOOD,

Plaintiff,

v. **Case No: 6:12-cv-915-Orl-DAB**

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

JUDGMENT IN A CIVIL CASE

Decision by Court. This action came before the Court and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the decision of the Commission is reversed and this case is remanded to the Social Security Administration for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

Date: September 20, 2013

SHERYL L. LOESCH, CLERK

s/M. Pleicones, Deputy Clerk

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

KATRINA F. WOOD,

Plaintiff,

-vs- **Case No: 6:12-cv-915-Orl-DAB**

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

This cause came on for consideration without oral argument on the following motion filed herein:

MOTION: PLAINTIFF'S UNCONTESTED PETITION FOR ATTORNEY'S FEES (Doc. No. 23)

FILED: November 12, 2013

THEREON it is **ORDERED** that the motion is **GRANTED**.

Plaintiff's application for fees follows the issuance of an Order and entry of Judgment reversing the decision of the Commissioner of Social Security with respect to Plaintiff's claim for benefits, and remanding the case pursuant to sentence four of 42 U.S.C. § 405(g) (Docs. 21 & 22).

Pursuant to the Equal Access to Justice Act, a party can recover an award of attorney's fees against the government provided that the party seeking the award is the prevailing party; the application for such fees, including an itemized justification for the amount sought, is timely filed; the position of the government is not substantially justified; and no special circumstances are present which would make an award unjust. Title 28 U.S.C. § 2412(d)(1)(A).

Plaintiff's Motion seeks an award of attorney's fees in the amount of $4,107.27, calculated at the rate of $184 per hour for 20.7 hours of work expended in 2012 and $186.55 per hour for 1.6 hours of work in 2013 (factoring in the statutory rate of $125.00 per hour adjusted for cost of living increase of 47% and 49% respectively) (based on the applicable Consumer Price Index). Doc. 23. *See, Meyer v. Sullivan*, 958 F.2d 1029, 1034 (11th Cir. 1992) (court must consider cost of living increases when awarding attorney fees under Equal Access to Justice Act); *Johnson v. Sullivan*, 919 F.2d 503, 504 (8th Cir. 1990) (CPI is appropriate proof of cost of living increase and justifies higher award than statutory rate). The Commissioner is not opposed to the hours or rate sought. *See*, Doc. 23 at 3.

Counsel also states that Plaintiff has assigned her fees to counsel. The parties have agreed that after the Court issues an order awarding EAJA fees to Plaintiff the Commissioner will determine whether Plaintiff owes a debt to the government, and if the U.S. Department of the Treasury determines that Plaintiff does not owe a federal debt, the government will accept Plaintiff's assignment of EAJA fees and pay fees directly to Plaintiff's counsel. Doc. 23 at 2.

Any arrangement between client and counsel is outside the purview of the judgment. Moreover, under Supreme Court precedent directly on point, *Astrue v. Ratliff*, 130 S. Ct. 2521, 2523 (June 14, 2010), EAJA attorney fees are awarded to the prevailing party, not to the prevailing party's attorney. *See, Martin v. Astrue*, Case No. 3:08-cv-1013-J-TEM, 2010 WL 2639566, *2 (M.D. Fla. June 29, 2010) (observing that "*Ratliff* acknowledges that historically the actual payment of EAJA fees is often directed to the attorney for the prevailing party, and sets forth that such practice will in fact continue where the prevailing plaintiff does not owe a debt to the government and assigns the right to receive the fees to the attorney"); *Whittemore v. Astrue*, No. 3:09-cv-1242-J-25MCR, 2011 WL 2144590, at *2 (M.D. Fla. May 31, 2011) (stating that the Supreme Court in *Astrue v. Ratliff*, the Supreme Court "implicitly approved the practice of issuing EAJA payments directly to a plaintiff's attorney only in cases where the plaintiff does not owe a debt to the Government and the plaintiff has assigned the right to the EAJA fees to the attorney").

Upon review of the supporting papers filed by Plaintiff and the Commissioner's lack of objection, the Court finds that an award of $4,107.27 is appropriate under the EAJA. The Clerk is **DIRECTED** to enter judgment in the amount of **$4,107.27** for attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. Section 2412(d).

DONE and **ORDERED** in Orlando, Florida on November 20, 2013.

/s/
DAVID A. BAKER

UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record

M7

Social Security Administration
Retirement, Survivors, and Disability Insurance
Notice of Award

Office of Central Operations
1500 Woodlawn Drive
Baltimore, Maryland 21241-1500
Date: June 4, 2015
Claim Number: [redacted] HA

KATRINA F WOOD
[redacted]
DAYTONA BEACH FL 32114

We are writing to let you know that you are entitled to monthly disability benefits from Social Security beginning February 2012.

Your Benefits

The following chart shows your benefit amount(s) before any deductions or rounding. The amount you actually receive may differ from your full benefit amount. When we figure how much to pay you, we must deduct certain amounts, such as Medicare premiums and worker's compensation offset. We must also round down to the nearest dollar.

Beginning Date	Benefit Amount	Reason
February 2012	$ 775.20	Entitlement began
December 2012	$ 788.30	Cost of living adjustment
December 2013	$ 800.10	Cost of living adjustment
December 2014	$ 813.70	Cost of living adjustment

What We Will Pay

- Your first check is for $603.10.
- This is the money you are due through June 2015.
- After that, you will receive $708.00 on or about the fourth Wednesday of each month.

We are withholding your Social Security benefits for February 2012 through May 2015. We may have to reduce these benefits if you received Supplemental Security Income (SSI) for this period. When we decide whether or not we will have to reduce your Social Security benefits, we will send you another letter. We will pay you any Social Security benefits you are due for this period.

The Date You Became Disabled

You have to be disabled for 5 full calendar months in a row before you can be entitled to benefits. Your first month of entitlement is February 2012.

Information About Medicare

We did not give you earlier medical insurance because we did not process it timely. If you want to have these benefits earlier, you can choose medical insurance benefits beginning February 2014. If you want this benefit to start earlier, you must do the following things within 60 days after the date of this notice:

- tell us in writing that you want the medical insurance benefits beginning February 2014;
- pay us $1,678.40 (this covers the premiums due from February 2014 through May 2015); or,
- tell us we can withhold this amount from the check.

If you want the benefits beginning February 2014 but find it hard to pay the premium amount in a lump sum, ask us about other ways to pay the money.

We have changed the date of your entitlement to hospital and medical insurance under Medicare. Your new entitlement date is February 2014. We will take any premiums due for the insurance out of your next payment.

We have changed the date of your entitlement to hospital insurance under Medicare. Your new entitlement date is February 2014.

We will reduce the payment you will receive shortly after July 22, 2015 by $104.90 because of medical insurance premiums. When we figured the amount of your payment, we took into account all the medical insurance premiums which were previously paid or still due. We will deduct medical insurance premiums 1 month in advance.

We are deducting past-due premiums from your check.

Information About Representative's Fees

Your past-due benefits are $30,871.00 for February 2011 through April 2015. Under the fee agreement, the lawyer cannot charge you more than $7,717.75 for his or her work. The amount of the fee does not include any out-of-pocket expenses (for example, costs to get copies of doctors' or hospitals' reports). This is a matter between you and the lawyer.

When a representative wants to charge for helping with a Social Security claim, we must first approve the fee. We usually withhold 25 percent of past due benefits in order to pay the approved representative's fee. We withheld $7,717.75 from your past due benefits in case we need to pay your representative.

- If all the work on this case for you and your family is finished, and your representative wants to charge a fee, a request to have it

approved should be sent to us right away.

- If all work is not finished in this case, the representative should let us know that a fee will be charged. This must be done within 60 days of the date of this letter.

- If the representative will not charge a fee, a statement saying so, signed and dated by the representative, should be sent to us instead.

When the amount of the fee is decided, we will let you and the representative know how much of this money will be used to pay the fee. We will send any remainder to you. If the approved fee is more than the money we have withheld, the Social Security Administration is not involved in paying the rest of the fee.

Send any fee petition to:

Office of Disability Adjudication and Review
SSA Hearing Office, Desoto Bldg, Suite 400
8880 Freedom Xing Trl
Jacksonville, FL 32256

Section 206 (B) of the Social Security Act, as amended, governs fees for services before the Court. If your lawyer wishes to receive a fee for those services, he must send the petition for that fee to the court that rendered the decision with a copy to the United States Attorney s [sic] Office. He should also send a copy to the Social Security Administration at:

SSA, ODO, DDO 1, SAES
P.O. Box 32913
Baltimore, Md. 212412913

Your lawyer may also petition for a fee under the Equal Access to Justice Act (EAJA). These awards are paid from administrative funds and, unlike fees under Section 206 of the Act, are not deducted from your past-due benefits. The EAJA specifically provides that where an attorney receives fees for the same work under both Section 206(B) of the Social Security Act and the EAJA, the attorney must refund to you the amount of the smaller fee. If your lawyer is not going to file a fee petition with the Court, he should notify us in writing so that we can send you and your family any funds we withheld from your past-due benefits.

Other Social Security Benefits

This benefit is the only benefit you can receive from us at this time. In the future, if you think you might qualify for another benefit from us, you will need to apply again.

Your Responsibilities

The decisions we made on your claim are based on information you gave us. If this information changes, it could affect your benefits. For this reason, it is important that you report changes to us right away. We have enclosed a pamphlet, "What You Need To Know When You Get Social Security Disability Benefits". It will tell you what must be reported and how to report.

Be sure to read the parts of the pamphlet which explain what to do if you go to work or if your health improves.

Things To Remember

Doctors and other trained staff decided that you are disabled under our rules. But, this decision must be reviewed at least once every 3 years. We will send you a letter before we start the review. Based on that review, your benefits will continue if you are still disabled, but will end if you are no longer disabled.

Do You Think We Are Wrong?

You are entitled to benefits because of a decision made by the Administrative Law Judge.

If you disagree with this decision, you have the right to appeal. We will review your case and consider any new facts you have. A person who did not make the first decision will decide your case. We will correct any mistakes. We will review those parts of the decision, which you believe are wrong and will look at any new facts you have. We may also review those parts, which you believe are correct and may make them unfavorable or less favorable to you.

- You have 60 days to ask for an appeal.
- The 60 days start the day after you get this letter. We assume you got this letter 5 days after the date on it unless you show us that you did

not get it within the 5-day period.

- You will have to have a good reason for waiting more than 60 days to ask for an appeal.

- You have to ask for an appeal in writing. We will ask you to sign a form SSA-561-U2, called "Request for Reconsideration". Contact one of our offices if you want help.

Suspect Social Security Fraud?

Please visit http://oig.ssa.gov/r or call the Inspector General's Fraud Hotline at 1-800-269-0271 (TTY 1-866-501-2101).

If You Have Questions

We invite you to visit our website at www.socialsecurity.gov on the Internet to find general information about Social Security. If you have any specific questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 1-866-217-0721. We can answer most questions over the phone. If you are deaf or hard of hearing, you may call our TTY number, 1-800-325-0778. You can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY
4990 S CLYDE MORRIS
PORT ORANGE, FL 32127

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

Social Security Administration

Enclosure(s):
SSA Pub No 05-10153

SOCIAL SECURITY ADMINISTRATION

Refer To: [redacted]
Katrina F. Wood

Office of Disability Adjudication
and Review
8880 Freedom Xing Trl
Jacksonville, FL 32256-1224
Tel: (866)931-0124
Fax: (904)232-3961

July 20, 2015

AUTHORIZATION TO CHARGE AND COLLECT FEE

To: Richard A. Culbertson
3200 Corrine Drive
Orlando, FL 32803

IN THE CASE OF	CLAIM FOR
Katrina F. Wood (Claimant)	Period of Disability, Disability Insurance Benefits, and Supplemental Security Income
_____ (Wage Earner)	[redacted] (Social Security Number)

You are authorized to charge and collect a fee in the amount of $2865.00 for services provided to the claimant and auxiliaries, if any, for proceedings before the Social Security Administration. The amount of the fee does not include any out-of-pocket expenses (for example, costs to get copies of doctors' or hospitals' reports). This is a matter between you and the claimant. It should be noted that travel time is not included, hearing was 1.5 hours with client present by video. Also, activity prior to federal remand was included in federal court payment and is not counted here.

If you or the claimant disagrees with the authorized fee, either or both can ask us to review the amount of the fee. If the claimant thinks the fee is too high or you think the fee is too low, either party must write to us **within 30 days from the date of this notice**. You or the claimant must also send a copy of the request to the other person. The review can result in an increase, decrease, or no change in the amount of the fee. The request for review must give the reasons for disagreeing with the amount of the fee and be sent to:

Office of the Regional Chief Administrative Law Judge
Office of Disability Adjudication and Review
SSA ODAR
61 Forsyth Street SW
Suite 20T10
Atlanta, GA 30303

The paragraph(s) below refers to payment of the representative's authorized fee.

We will directly pay your fee from the claimant's Title II or Title XVI past-due benefits, or both. (If the check does not cover the authorized fee, payment of the balance is a matter for you and the claimant to settle.) Awe will also charge you the assessment required by sections 206(d) or 1631(d)(2)(C) of the Social Security Act. You cannot charge or collect this expense from the claimant. You should send any questions about the status of the check to the processing center or Social Security office that issued the claimant's award letter.

AUTHORIZING OFFICIAL

Teresa J. McGarry
Administrative Law Judge

SEE ATTACHMENTS FOR OTHER IMPORTANT INFORMATION

cc: Katrina F. Wood
[redacted]
Daytona Beach, FL 32114

[TOP OF PAGE TRUNCATED]

1500 Woodlawn Drive
Baltimore, Maryland 21241-1500
Date: February 15, 2016
Claim Number: [redacted] HC1

KATRINA WOOD
FOR
[redacted]

DAYTONA BEACH FL 32114-7341

We are writing to let you know that [redacted] is entitled to monthly child's benefits from Social Security beginning February 2012.

Your Benefits

The following chart shows [redacted]'s benefit amount(s) before any deductions or rounding. The amount she actually receives may differ from her full benefit amount. When we figure how much to pay her, we must deduct certain amounts, such as Medicare premiums and worker's compensation offset. We must also round down to the nearest dollar.

Beginning Date	Benefit Amount	Reason
February 2012	$ 88.60	Entitlement began
December 2012	$ 90.10	Cost of living adjustment

December 2013	$ 91.40	Cost of living adjustment
December 2014	$ 92.90	Cost of living adjustment

What We Will Pay

- Her first payment is for $3,462.00.
- This is the money she is due through January 2016.
- Her next scheduled payment of $92.00, which is for February 2016, will be received on or about the third of March 2016.
- After the first payment, she will receive $92.00 on or about the third of each month.

* * * * *

We are sending a copy of this notice to your representative.

Health Insurance For Children

If this notice is for a child under age 19 who is not covered by health insurance, there is a Children's Health Insurance Program that may help. To find out more, you can look on the Internet at www.insurekidsnow.gov or call, toll free, 1-877-KIDS-NOW (1-877-543-7669). The number connects you to your state program.

Information About Representative's Fees

When a representative wants to charge for helping with a Social Security claim, we must first approve the fee. We usually withhold 2[redacted]e benefits in order to pay the approved representative's fee. We withheld $878.00 from [redacted] past due benefits in case we need to pay her representative.

- If all the work on this case for [redacted] and her family is finished, and your representative wants to charge a fee, a request to have it approved should be sent to us right away.

- If all work is not finished in this case, the representative should let us know that a fee will be charged. This must be done within 60 days of the date of this letter.

- If the representative will not charge a fee, a statement saying so, signed and dated by the representative, should be sent to us instead.

When the amount of the fee is decided, we will let [redacted] and the representative know how much of this money will be used to pay the fee. We will send any remainder to [redacted] the approved fee is more than the money we have withheld, the Social Security Administration is not involved in paying the rest of the fee.

Other Social Security Benefits

These benefits are the only benefit she can receive from us at this time. In the future, if you think she might qualify for another benefit from us, she will need to apply again.

* * * * *

report changes to us right away.

We have enclosed a pamphlet, "What You Need To Know When You Get Retirement Or Survivors Benefits." It tells you what must be reported and how to report.

Do You Think We Are Wrong?

If you do not agree with this decision, you have the right to appeal. We will review [redacted] case and look at any new facts you have. A person who did not make the first decision will decide her case. We will review the parts of the decision that you think are wrong and correct any mistakes. We may also review the parts of our decision that you think are right. We will make a decision that may or may not be in her favor.

- You have 60 days to ask for an appeal.
- The 60 days start the day after you receive this letter. We assume you received this letter 5 days after the date on it unless you show us that

you did not receive it within the 5-day period.

- You must have a good reason if you wait more than 60 days to ask for an appeal.

- You can file an appeal with any Social Security office. You must ask for an appeal in writing. Please use our "Request for Reconsideration" form, SSA-561-U2. You may go to our website at www.socialsecurity.gov/online/ to find the form. You can also call, write, or visit us to request the form. If you need help to fill out the form, we can help you by phone or in person.

Suspect Social Security Fraud?

Please visit http://oig.ssa.gov/r or call the Inspector General's Fraud Hotline at 1-800-269-0271 (TTY 1-866-501-2101).

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at 1-800-772-1213, or call your local Social Security office at 1-866-217-0721. We can answer most questions over the phone.

If you are deaf or hard of hearing, you may call our TTY number, 1-800-325-0778. You can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY
4990 S CLYDE MORRIS
PORT ORANGE, FL 32127

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

Social Security Administration

Enclosure(s):
SSA Pub No 05-10077